

ACCESSIBILITY ADVISORY COMMITTEE MINUTES
Community Development Conference Room, 8th Floor City Hall
Thursday, April 28, 2011
2:00 P.M.

The City Accessibility Advisory Committee met at the above place and date. The meeting was called to order at 2:10 P.M. The following committee members and staff answered roll call:

Rafael Hernando	Fred Gromand
Billie Brown	Manny Razo
Mary Castillo	William Bennett
Cynthia Osborn	

The following visitors were present:

John Eger	Mark Steele
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The following members and staff were not present:

Martin Wagner	Karen Pharr
Olivia Chavez	Rene Pokrzywinski
Alejandro Campos	Sergio Reyes
Tony Bustillos	

AGENDA

- I. WELCOME / ROLL CALL
- II. CALL TO THE PUBLIC – PUBLIC COMMENT
This time is reserved for members of the public who would like to address the City Accessibility Advisory Committee on any items that are not on the City Accessibility Advisory Committee Agenda and that are within the jurisdiction of the City Accessibility Advisory Committee. No action shall be taken.
- III. APPROVAL OF MINUTES of November 18, 2010, December 16, 2010, and March 24, 2011.
- IV. DISCUSSION AND ACTION
 - A. Update on Analysis of Impediments for Fair Housing.
 - B. Update on Easter Seals Project Action Accessibility Planning
 - C. Curb Ramp on Request Program
 - D. Audible Pedestrian Signal Program
 - E. Subcommittee reports for Goals and Objectives
 - Employment of People with Disabilities
 - Sensitivity Training
 - Barrier Free Construction
 - F. Formal complaints regarding ADA/Accessibility Compliance
 - G. Plan Reviews
 - H. Next Meeting Agenda, Date, and Location (5-26-2011)
- V. ANNOUNCEMENTS
- VI. ADJOURNMENT

Item 1. Welcome/Roll Call

Roll call was taken and a quorum was confirmed.

Item 2. Call to the Public – Public Comments

Comments were made by Mark Steele.

Item 3. APPROVAL OF MINUTES of November 18, 2010, December 16, 2010, and March 24, 2011.

A Motion was made by Billie Brown, Seconded by Mary Castillo, and unanimously approved to accept the minutes from November 18, 2010.

Ayes: Rafael Hernando III, Fred Gromand, Billie Brown, Manny Razo, and Mary Castillo.

Nays: None

Abstain: None

Item 4 Discussion and Action

A. Update on the analysis of Impediments to Fair Housing.

Comments were made by William Bennett, Mary Castillo, Rafael Hernando Billie Brown, John Eger, Mark Steel, and Fred Gromand.

No action was taken on this item.

B. Update on Easter Seals Project Action Accessibility Planning

Comments were made by John Eger, Mark Steel, Mary Castillo, and William Bennett.

No action was taken on this item.

C. Curb Ramp on Request Program

Comments were made by William Bennett, Fred Gromand, Rafael Hernando III, Billy Brown, and Mary Castillo.

No action was taken on this item.

D. Audible Pedestrian Signal Program

Comments were made by William Bennett, Mark Steele, Mary Castillo, Rafael Hernando, Billie Brown

No action was taken on this item.

E. Subcommittee reports for Goals and Objectives

Employment of People with Disabilities

Comments were made by Mary Castillo.

No action was taken.

Sensitivity Training

Comments were made by William Bennett.

No action was taken.

Barrier Free Construction

Comments were made by William Bennett, Rafael Hernando III, John Eger, Mark Steele, Mary Castillo, Billie Brown,

F. Formal complaints regarding ADA/Accessibility Compliance

Comments were made by William Bennett, John Eger, Mark Steele, Rafael Hernando III, Mary Castillo, Fred Gromand, and Billie Brown.

G. Plan Reviews

H. Next Meeting Agenda, Date, and Location (5-26-2011)

Item 5. Announcements

Announcements were made by William Bennett, Rafael Hernando III, John Eger

Item 6. Adjournment

A motion was made by Rafael Hernando III, seconded by Mary Castillo, and unanimously approved to adjourn the meeting at 3:25 p.m.

Ayes: Rafael Hernando III, Fred Gromand, Billie Brown, Manny Razo, and Mary Castillo.

Nays: None

Abstain: None.

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Item 1. Welcome/Roll Call

Roll call was taken and a quorum was confirmed.

Item 2. Call to the Public – Public Comments

The last Easter Seals meeting that was attended, gaps in sidewalks were brought up
Maybe they will start filling the gaps.

Item 3. APPROVAL OF MINUTES of November 18, 2010, December 16, 2010, and March 24, 2011.

The November 18, 2010 minutes have been completed. A motion was made, seconded, and unanimously approved to accept the minutes. The minutes for December 16, 2010 and March 24, 2011 will be presented next month.

Item 4 Discussion and Action

A. Update on the Analysis of Impediments (AI) to Fair Housing

The analysis went to a Legislative Review Committee and a postponement was requested because a large number of the disabled community were out of town. The postponement was denied and the analysis went to the City Council last Tuesday and was approved. The document identified entitled Analysis of Impediments was approved by the Mayor and Council. There were individuals there to provide public comment. The comments included that the document was not complete, which is true because it is similar to the transition plan, and it will never be complete. What was discussed is that there is a need for a real time data base for the number of accessible units in the City and a need to do a survey for that actual need of such units. Once completed it will be determined if there is a need to increase the number of accessible units back to five percent. Community Development is in the process of coming up with a cost to provide to Council to do a study to determine the needs and set up the data base. The people that did the analysis determined that it would cost about \$25,000.00 to do the study. The Director of Community Development, Bill Lilly, figured that in order to set up a real time data base would cost about \$50,000.00. The analysis showed that there were the same items that what was originally discussed by the committee, three or four years ago. There had not been a committee meeting for four years or more because there were not enough members to reach a quorum. One of the things that was mentioned in the study is that there should be an office here to investigate Fair Housing complaints, instead of in Fort Worth. At one time there was an office here, Border Fair Housing and Economic Justice Center, that had a grant from HUD to do enforcement of the Fair Housing Act. They had several cases that went to court and the owners were penalized. This is just the first step and the analysis is a living document that gets upgraded and revised. There are some indicators that show that discrimination is occurring. It was asked if units like the ones that Ray Baca owns, used federal or state funding for construction. If federal or state funds were used five percent of the units would have to be Type A accessible units. How would it be determined if federal or state funding is used? The agency providing the funding would make the determination on who does the enforcement. HUD would do the enforcement of Federal Funds. Do the apartments have to be held for individuals with disabilities. After it has been rented out, the person renting does not have to leave the apartment. The argument was that the accessible units were the last units to be rented out and they could only get individuals to rent the units out if they offered a discount on the unit. That is partially what brought the request to reduce the number of accessible units. Because they were not being rented by individuals with disabilities and they were the last units to be rented out. The developers gave the developers a reduction in the number of units required, but the question was how can the number of units be reduced it is not known how many units are needed. The analysis of impediments was done, but it is still not known how many units are truly needed. The analysis did show that a

study was needed to determine the need for accessible units. There was a grant that was started by Volar, but the grant was lost. The funding was to help do the study. They tried to find out information and the disabled community did not provide enough information and the developers did not provide enough information to determine the need. There is information in the AI about the recommendation. The bottom line is that the AI was approved or accepted. The required number of accessible units is required to be three percent. This item will be removed from the agenda.

No action was taken on this item.

B. Update on Easter Seals Project Action Accessibility Planning

The ADA Coordinator did not attend the last meeting because it was held on Friday. John Eger did attend. The meetings will be scheduled from Wednesday from now on. Michael Herrera from Sun Metro was talking about the new shelters, having and making sure wheel chair accessible benches are at the shelters, making sure the sidewalks are complete with no gaps, and overall making sure that things are much more accessible for people with disabilities in the city. He had planned on discussing some of the programs that are going on with Sun Metro. One of the programs is their curb ramp program. Another is the bus rapid transit system that is going to be put in place in the near future, with the new transit terminals open and operating. The main topic was about the curb cuts, shelters, and sidewalk gap removal. The group is broken down into subcommittees, the accessibility group and the scheduling group. After looking at the different issues a funding group will be established. As a general group there will be meetings every third Wednesday.

No action was taken on this item.

C. Curb Ramp on Request Program

This years ramps are completed. All of the ramps that were on the list were done. Some of the money was returned to Community Development because they would not let us add new requests to the list. They will use the money will be used to fund other projects. The word is that there will probably not be any funding granted for next years program because of the large cut that Community Development took and partially because a large part of the funding was committed to projects already approved. There will be curb ramps installed under the Street Department, Sun Metro, and TxDOT. TxDOT has completed most of the ramps on their right of ways. Sun Metro is installing ramps, sidewalks, bus shelters. In order to do the work on TxDOT right of ways they have to have an agreement with TxDOT. It is not known if the agreement is in place.

No action was taken on this item.

D. Audible Pedestrian Signal Program

This program is in the works. Martinez Engineering is doing the designs on three intersections. He has submitted the preliminary plans, and the pre-finals should be submitted very soon. After that the finals will be submitted. A quote has been obtained from the vendor that has a buy board contract so that we do not have to go out for bid. There is a contract with the state, a county or municipality and piggy back on that contract. The P.O. is ready and the equipment will be ordered by May Second. There will be three intersections done this year and there will probably not be funding for this program next year. Can the signals be added easily to an existing signalized intersection. If the intersection has been recently upgraded they are automatically designed so that the signals can be installed at the intersection. If the intersection is an old intersection, typically it has to be redesigned and retrofitted. One of the intersections that is going to be done with Capitol Improvement Funds (CIP) is Montana and Reynolds because it was recently upgraded and is ready for the

audible signals to be installed. The new terminology for the signals is accessible pedestrian signals. Accessible signals are being installed at nine other intersections that are being redone. The three intersections that are being done with CD funds are Paisano and Val Verde, Montwood & Yarbrough, and Cincinnati and Mesa. With CIP funding Montana and Reynolds is being done. The nine intersections are span wire intersections where the lights are hung on wires. Construction is supposed to start soon. The first intersection to be done is Viscount and Hawkins where the entire intersection is going to be done. They will be removing the wires and putting in mast arms. There are not accessible signals at Washington and Alameda because it is not a signalized intersection. There are accessible signals at Paisano and Washington which was one of the first intersections done. There have been individuals get off the bus going west and try to cross the intersection. Chico's Tacos is at that intersection, there is a fire station, and the Lighthouse is down Washington. Thomason has one at Alameda and Boll. The state is going to install one at Alameda and Val Verde. There will probably be around sixty in the city. An exact number will be obtained. No action was taken on this item.

E. Subcommittee reports for Goals and Objectives

Employment of People with Disabilities

The Workforce lost their funding. DARS is funding between 60 and 100 students. There are some students working with a job coach in the Map Room. There may be other students working in other departments.

Sensitivity Training

Training is being done on the changes in the ADA. There is not any thing else to report.

Barrier Free Construction

There are a number of states and locations that require a developer to provide five percent of the houses in the subdivision have to be constructed to be an accessible unit. Other places require barrier free construction. Pima County, which includes Tucson, is one of the locations that require barrier free construction in all housing. This covers a no step entry, 36 inch doors, 36 inch hallway, switches at 48 inches, usable kitchens and bathrooms. The last two home shows had homes that were accessible and were bought by individuals with disabilities. Sidewalks have to be a minimum of 36 inches wide with passing areas every two hundred feet. Lindberg Street has a 48 inch wide sidewalk. One area that had a problem was at the bridge going from the Cielo Vista Transit terminal to Sam's. After discussions with Sam's, the sidewalk was widened to five feet. The sidewalk is still obstructed at times with shopping carts. The United States Access Board is the agency that requires a minimum of 36 inches for accessible routes. In new commercial construction, all of the elements have to be accessible. If new construction is not accessible the state, TDLR, can do the enforcement to make the owners comply. For existing construction, the Department of Justice can make a business come into compliance. No action was taken on this item.

F. Formal complaints regarding ADA/Accessibility Compliance

There was a formal complaint filed about right hand turns at intersections. It is not really an ADA issue, but when a car stops at a light and then makes a right on red, there is the possibility that an individual in a wheel chair can and has been hit by the car. It is a police department enforcement issue. There were several other complaints. One was about Lindbergh Street, which is in compliance. Another complaint was about the Holocaust Museum not providing access to a box car, so that an individual in a wheel chair can view inside the box car. Because the Holocaust Museum receives funding from the City of El Paso, the ADA coordinator can make

them come into compliance with the accessibility laws. There have been other non formal complaints. They range from not being able to enter a building to having inaccessible bathrooms.

G. Plan Reviews

There have been a number of reviews done. There have been several parks that are being reviewed. The dog park on the east side is not accessible. There are a couple of buildings that are being reviewed. Paso del Norte Child Development Center is one of the buildings. The Center Against Family Violence is working on the final plans. Villa Maria has had their plans reviewed and are about to go out for construction. There were inspections on the Cielo Vista Library and the Pat O'Rourke Recreation Center. There were a couple of small items that needed to be corrected at each location. It is being done by the contractor.

H. Next Meeting Agenda, Date, and Location (5-26-2011)

The next meeting will be on May 26, 2011.

Item 5. Announcements

There is a call into Karen Pharr to see if she has resigned. Marty Walton has been in the hospital and hasn't returned any calls. A replacement on the committee will be requested. Fred Gromand and Mary Castillo were reappointed. The Texas Lions Club has a camp in Kerrville, Texas every summer for kids between the ages of seven to 16. It is paid for by the Lions Club. Today there is a meet the candidates at the Chamber of Commerce at 3:30 and there will be a political forum at 4:00. There will be a School Board Political Forum at Western Hills Elementary at 5:30 today.

Item 6. Adjournment

A motion was made, seconded, and unanimously approved to adjourn the meeting at 3:25 p.m.